

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 ARTHUR DEWAYNE TOWNSEND, JR.,

No. 2:20-cv-0342 JAM CKD P

12 Plaintiff,

13 v.

ORDER

14 MELVIN ENCINA, et al.,

15 Defendants.
16

17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief
18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to
19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On December 7, 2020, the magistrate judge filed findings and recommendations herein
21 which were served on plaintiff and which contained notice to plaintiff that any objections to the
22 findings and recommendations were to be filed within fourteen days. Plaintiff has not filed
23 objections to the findings and recommendations.

24 The court presumes that any findings of fact are correct. See Orand v. United States, 602
25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.
26 See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having
27 reviewed the file, the court finds the findings and recommendations to be supported by the record
28 and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 7, 2020 are adopted in full; and
2. Defendant Encina is dismissed from this case.

DATED: January 27, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE